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JOINT ECONOMIC COMMITTEE



Congress of the United States

House of Representatives

Washington, DC 20515-3214

December 20, 2017

President Donald J. Trump
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20502

Dear President Trump:

I write to express my concerns regarding the vacancies at the Merit Systems Protection Board (MSPB). As you know, the MSPB is supposed to consist of three Board members, but currently there is only one appointee in place – the Chairman of the Board. I understand that there are no pending nominations for the remaining two seats. The MSPB serves an important function in the broad infrastructure dedicated to addressing federal workforce complaints of improper personnel practices. A Board that is not filled cannot fully operate, and this can have negative consequences on our ability to maintain a safe and fair workplace for federal civil service employees. I respectfully urge you to promptly put forward nominees for the two empty seats on the MSPB.

According to a Washington Post article published on November 21, 2017, the MSPB has 660 pending cases in its backlog which date back nearly three years. Yet, with only one Board member, the appeals process is frozen, and none can be heard or resolved. Federal employees who have merit-based complaints against agency actions can run into a dead end trying to seek justice and damages. The Board also plays a role in ensuring whistleblower protections, which I believe are critically important to our work as government officials. I believe it is in the best interest of both the government and employees to have a fully operational MSPB as soon as possible.

At a time when employees from every employment sector are coming forward with allegations of egregious workplace misconduct, it is essential that the federal government ensures that the civil service protections we have established are thoroughly and fully enforced. Filling the two vacancies at the Merit Services Protection Board is an important step in achieving the status the federal government can and should have as a model employer.

Thank you for your attention to this matter.

Sincerely,

CAROLYN B. MALONEY
Member of Congress

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